

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JUAN CARLOS ALONSO,

Plaintiff,

v.

No. 16-cv-0903 MV/SMV

**JULIE BARHAM and
CHILDREN, YOUTH AND FAMILIES
DEPARTMENT,**

Defendants.

ORDER FOR STATUS REPORT

THIS MATTER is before the Court sua sponte. Discovery in this matter is stayed.¹

Counsel for Defendant Barham must file a status report no later than **July 31, 2019**, updating the Court on the status of the related criminal proceedings, Defendant Barham's claim of incompetence in state court, and in particular, the hearing that appears to have occurred in state court on April 24, 2019.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge

¹ On November 4, 2016, Defendant Barham requested that the Court stay discovery proceedings in this case because her underlying criminal case had been stayed after she filed a "Notice of Inability to Proceed to Trial Due to Incompetency of Defendant Due to Medical Conditions and Notice of Diminished Capacity." [Docs. 20, 20-1]. The request was unopposed, and the Court stayed proceedings for 60 days. [Doc. 21]. The Court extended the stay for another 90 days on Defendant Barham's second unopposed request. [Doc. 24]. On May 12, 2017, the Court granted Defendant Barham's motion for a continued stay because her criminal proceedings remain stayed pending resolution of her claim of incompetency. [Doc. 35]. Although a competency hearing was held in state court on April 20, 2018, no ruling was issued at that time. *See* [Doc. 40] at 1. Then, on February 22, 2019, the Court denied Plaintiff's Motion to Lift the Stay. [Doc. 50].